

**A RESOLUTION BY**

**05-*R*-0593**

**FINANCE/EXECUTIVE COMMITTEE**

**A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE CHANGE ORDER NO. 2 FOR FC-7270-00, AIRCRAFT RESCUE AND FIRE FIGHTING TRAINING FACILITY, WITH AVIATION CONSTRUCTORS INCORPORATED (ACI), ON BEHALF OF THE CITY AND ITS DEPARTMENT OF AVIATION, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED EIGHTY NINE THOUSAND DOLLARS (\$189,000.00) AND TO INCREASE THE PERFORMANCE PERIOD OF THE CONTRACT BY ONE HUNDRED SEVENTY SIX (176) DAYS, TO BE CHARGED TO AND PAID FROM FUND, ACCOUNT, AND CENTER NUMBER 2H21 574001 R21E04039999 (AIRPORT RENEWAL AND EXTENSION FUND, FACILITIES OTHER THAN BUILDINGS, FIRE ADMINISTRATION BUILDING).**

**WHEREAS**, the City of Atlanta ("City") entered into a Contract, FC-7270-00, Aircraft Rescue and Fire Fighting Training Facility ("Contract"), on behalf of the Department of Aviation at Hartsfield Atlanta International Airport, dated May 8, 2003; and

**WHEREAS**, On July 30, 2004, ACI submitted a Request for Equitable Adjustment ("REA") seeking compensation in both time and money due to design revisions to the computerized control system being implemented during the construction phase of the project; and

**WHEREAS**, the City's designated representative, Hartsfield-Jackson Atlanta Construction Management, has reviewed and negotiated a settlement addressing the time and compensation sought through the REA; and

**WHEREAS**, the City's Law Department has reviewed the negotiated settlement, as well as the Hartsfield-Jackson Development Program leadership, both of which have determined is in the best interest of the City; and

**WHEREAS**, the Aviation General Manager, the Chief Procurement Officer and the City Attorney believe it is desirable and in the best interest of the City to document this settlement of the REA with ACI in the form of a Change Order No. 2 to the Contract to be executed between the City and ACI.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA**, that the Mayor or her designee be and hereby is authorized to execute Change Order No. 2 with ACI, on behalf of the City and its Department of Aviation, for a total not to exceed amount of \$189,000.00 and increases the performance period of the Contract by 176 calendar days, in full settlement of the REA.

**BE IT FURTHER RESOLVED**, that Change Order No. 2 shall be charged to and paid for from Fund, Account, and Center Number: 2H21 574001 R21E04039999 (Airport Renewal and Extension Fund, Facilities Other Than Buildings, Fire Administration Building).

**BE IT FURTHER RESOLVED**, that the City Attorney is directed to prepare Change Order No. 2 for execution by the Mayor.

**BE IT FINALLY RESOLVED**, that Change Order No. 2 shall not become binding on the City and the City shall incur no liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved by the City Attorney as to form and delivered to ACI.

**CITY OF ATLANTA  
DEPARTMENT OF AVIATION  
HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT**

**LEGISLATION WHITE PAPER**

Committee of Purview: Transportation Committee

Council Meeting Date: February 07, 2005

Legislation Title: A RESOLUTION AUTHORIZING THE SECOND AMENDMENT TO FC-7270-00, AIRCRAFT RESCUE AND FIREFIGHTING TRAINING FACILITY

Caption: A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNATED REPRESENTATIVE TO EXECUTE THE SECOND AMENDMENT BETWEEN THE CITY OF ATLANTA AND AVIATION CONSTRUCTORS, INC TO INCLUDE CHANGE ORDER NO.2 FOR FC-7270-00, AIRCRAFT RESCUE AND FIREFIGHTING TRAINING FACILITY, ON BEHALF OF THE DEPARTMENT OF AVIATION. CHANGE ORDER NO.2 SHALL ALLOW FOR ADDITIONAL COMPENSATION IN THE AMOUNT OF ONE HUNDRED AND EIGHTY NINE THOUSAND DOLLARS AND NO CENTS (\$189,000.00) AND AN ADDITIONAL ONE HUNDRED AND SEVENTY SIX (176) CALENDAR DAYS TO COMPLETE THE PROJECT. ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND ACCOUNT AND CENTER NUMBER 2H21 574001 R21E04039999.

Background: The City of Atlanta entered into Contract FC-7270-00, Aircraft Rescue and Firefighting Training Facility on behalf of the Department of Aviation at Hartsfield –Jackson Atlanta International Airport, dated May 8, 2003. The City of Atlanta City Council adopted Resolution no. 03-R-0373 on March 17, 2003, and the Mayor approved the resolution on March 25, 2003, authorizing the award of FC-7270-00 to Aviation Constructors, Inc. in an amount not to exceed six million, one hundred and eighty eight dollars and no cents (\$6,188,000.00).

Justification: On July 30, 2004, Aviation Constructors, Inc. submitted a Request for Equitable Adjustment (REA) associated with the construction and completion of the project. The basis for the REA was the introduction, during construction of the project,

of design clarifications and design revisions to the computerized control system. The control system is to be utilized to control various aircraft fire scenarios for fire fighting training purposes. The REA asked for a contract time extension and associated extended overhead costs. This resolution will authorize an amendment to the Contract to address the resolution of the REA by the execution of Change Order No. 2.

Change Order No.1 to the Contract was previously executed and provided no cost and time impacts to the Contract.

Fund Account and Center Number:	2H21 574001 R21E04039999
Source of Funds:	City Contribution
Fiscal Impact:	\$6,377,000.00
Term of Contract:	631 Calendar Days
Contract No.:	FC-7270-00
Prepared By:	George Johnson, P.E.